

**MADISON COUNTY PLANNING BOARD  
MEETING MINUTES  
November 24, 2008**

**1. Call to Order**

The meeting was called to order by President Ann Schwend at 6:04 p.m.

**2. Roll Call**

**BOARD MEMBERS PRESENT:**

Lane Adamson, Pat Bradley, Don Loyd, Dave Maddison, Eileen Pearce, Laurie Schmidt, Ann Schwend, Dorothy Davis, Ed Ruppel

**BOARD MEMBERS ABSENT:** Kathy Looney, John Lounsbury

**STAFF MEMBERS PRESENT:** Charity Fechter, Jim Jarvis, Leona Stredwick

**STAFF MEMBERS ABSENT:**

**OTHERS PRESENT:**

Kevin Germain, Jan Kluver

**3. Minutes of the October 27, 2008 Work Session and Regular Meeting**

**MOTION: To approve the minutes of the October 27, 2008 regular meeting and work session with corrections. Moved by Laurie Schmidt; seconded by Dorothy Davis. Motion passed unanimously.**

**CORRECTIONS:**

1. Various typographical/grammatical errors.
2. Add enough detail so a person who was not there would know what was presented and discussed.
3. (Work Session) Ann – pull the comment that the NRCS definition is flawed. Further discussion clarifying the “flaws” in the NRCS limitations related to soil classifications followed.

**4. President’s Comments**

Ann Schwend announced her resignation as Planning Board President and Board Member in general. She introduced Jan Kluver as a possible addition to the Board for the conservation district position, and announced Pat Bradley’s resignation from the Board with the expiration of her current term.

**5. Opportunity for Public Comment**

Kevin Germain– Updated the Board on current Moonlight Basin happenings: Recently awarded the Eco-Star award from MSU for pollution prevention; Received a “B” on their ski area environmental score card, 10 points higher than other ski areas in Montana. Representing the Ennis Planning Board he has received the City Commission’s approval to approach the County for planning assistance from Charity and Jim. Ennis has never had a Planner and he has encouraged their Board to observe the County Planning Board.

## 6. Pre-Application

Lot 1, Uline Bench. Lot 1, COS 100, Uline Bench; located in the NE1/4, Section 25, T11S, R1E, PM, on the west side of US 287 approximately 23 miles south of Cameron and 3 miles north of the MT 87/US 287 intersection. (Owner – Glass is Half Full, LLC)

**This application was withdrawn at the applicant's request as they will be seeking a variance to the 500 foot set-back. The application will be re-submitted in January. Charity asked if the Board would like to plan a site visit prior to bad weather. It was decided that aerial photos would suffice.**

## 7. Amended Subdivision Review Fee Schedule

Charity – Reviewed the report included in the agenda packet (on file with the minutes). The proposed major changes include: a fee for the actual cost of certified notification mailings on subdivision of 3 or more lots, and a fee for reviewing overall development plans, with 2 alternates presented. Alternate #1 would charge minimal ODP review fees, plus the cost of certified mailing. . Alternate #2 would charge a \$1000 planning review fee, a \$100 public safety review fee, plus the cost of certified mailing, with the fee for the first preliminary plat submitted for review under the ODP reduced by the \$1000 review fee.

Discussion followed regarding concern that some developers would be discouraged from doing an overall development plan (ODP). There would be no charge for an ODP submitted with a preliminary plat. Alternate 2 would encourage them to do an ODP as it recognizes that the review process should be easier on the first preliminary plat submitted under an ODP.

When asked about the budget, Charity stated that she is being careful as income is low. Larger item purchases (computer equipment) are being postponed, and hopefully the recent donation of a van from Doris will meet the need for the new vehicle. Given the slowdown in subdivision and related reduction in fee income, the Board questioned whether the Commissioners had mentioned staffing. Charity stated that they had not and with the possibility of doing some work for Ennis, it may not be an issue.

There was some discussion about the possibility of the County collecting fees on behalf of the conservation districts.

<p><b>MOTION: To recommend to the County Board of Commissioners, an amendment to the Subdivision Application Fees as proposed by staff including preferred alternative #2 for the Overall Development Plan review. Moved by Don Loyd; seconded by Dave Maddison. Motion passed unanimously.</b></p>
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## 8. Review of Conservation Easements

- a. Montana Land Reliance - 7HC Ranch LLC –2000 acres west of McAllister, owned by Joyce Shaw (Commission District 3) **Amended to 2,063 acres, as shown on the handout distributed at the meeting.**

- b. Montana Land Reliance – Jackson Ranch – 2000 acres west of Norris, owned by Micky & Judy Jackson and J. Timothy & Roberta Jackson (Commission District 2)

Charity – gave an overview of easements as included in the agenda packet (on file with the minutes).

Discussion followed regarding the Jackson property and the remoteness test used by the Land Reliance. It is unclear if this remoteness test could impact the eligibility of Jackson's property for the easement. Charity did not think this was an issue because of the property's proximity to other easements and public lands. Charity noted it appeared that part of the property identified was actually owned by Bradley Creek; this property had been identified by Kevin Spencer as property that was intended for a conservation easement.

In general, it was agreed that these easements were good for Madison County.

## **9. Old Business**

- a. Development Impact Fees, Charity – the Committee has not yet been appointed by the Commissioners so there is nothing to report.
- b. Plan Development, continuing discussion. Charity provided samples of mapping from Gunnison County, Colorado, showing limitations, subdivisions, open areas and wildfire hazards. Discussion followed regarding the availability of mapping in Montana and how the maps were developed. She would like to work with Ed to map geologic hazard.

Information on Gunnison County's TDR program (Transfer of Development Rights) was discussed. Gunnison County does not have zoning and so is similar to us, although 35 acres is the smallest lot that can be created without coming under subdivision rules. Using 1 unit per 35 acres as the default density, the county values the TDR as 10% of the difference between the property value at the default density allowed and its value after subdivision. The funds collected are used to buy conservation easements and/or land.

- c. Subdivision Regulations
  - i. Cluster Development
  - ii. Other changes

Jim – reviewed the report as provided in the agenda packet (on file with the minutes). Discussion followed regarding: incentives for developers; possible reduction of fees; and regulations from other counties and how/why they are set up the way they are. Jim stated that creative incentives may be the key to developing this sort of thing. Given the current DEQ legislative proposal, eliminating the 1 acre minimum issue and making a lot as big as the mixing zone for the leach field requires, it may be wise to adapt our own cluster plan to match DEQ requirements. It was decided Jim should continue with his research into incentives and definitions used by Missoula County and to find out what percentage of counties use cluster development. Jim will also develop a template with criteria that Madison County might adopt.

- d. Streamside Protection Regulations, modified work plan.  
Jim reviewed the report as provided in the agenda packet (on file with the minutes), including the tentative schedule and Planning Board involvement. Jim is still working on a major revision to the ordinance per the request of the steering committee. The revised ordinance will be presented at the January 2009 steering committee meeting. The suggestion was made to have the proposed meeting in the South Madison Valley in April instead of March because of the weather. The Board preferred the term “receive” to “accept” the steering committee’s proposal as it did not imply the Planning Board’s endorsement of the proposal without reviewing it first.
- e. Other  
No other old business was discussed.

## **10. New Business**

- a. Planning Board Member Reports  
Pat – referenced the article “10 Things to Avoid” included in the packet, noting it is always easy to slip into “Familiar Informality”.
- b. Planning Office Report  
Charity – reviewed the monthly report as provided in the agenda packet (on file with the minutes). The Housing Advisory Board developed a duties list and will start evaluating a housing authority. The potential subdivisions have all been minors; there’s been no word from Rancho Vista Verde.
- c. Other
  - i. Calendar for next year – last Monday of each month with the exception of May (last Tuesday) and December (no meeting).
  - ii. Nomination committee for officers: Lane Adamson and Laurie Schmidt volunteered to be on the nominating committee.
  - iii. Don – commented that the gate at Summit in Big Sky is now open.

## **11. Adjournment**

Meeting adjourned at 7:47pm

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**John Lounsbury, Acting President**

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**Leona Stredwick, Secretary**